Court No.2

Writ Petition No. 466 (M/B) of 2002

Arun Kumar Sharma …….. Petitioner

Versus

State of Uttaranchal and others ……. Respondents

……..

Hon. P.C. Verma, A.C.J.
Hon. Irshad Hussain, J.

Heard Sri Ramji Srivastava, learned counsel for the petitioner and Sri K.P. Upadhayaya, learned counsel for the respondents.

The grievance of the learned counsel for the petitioner is that he is not being permitted to ply his auto beyond the bridge on Rispana river. Petitioner moved representation, which was considered and rejected on the ground that the permit was issued from Doiwala and therefore, he can not be permitted to ply his vehicle beyond Rispana bridge.

The rejection order is under challenge in the writ petition. Counter affidavit has been filed on behalf of the respondent, in which it has been stated that the petitioner can not be permitted to ply his auto beyond Rispana bridge as after Rispana bridge congested area of the Dehradun city starts and the petitioner's vehicle is diesel vehicle. In view of the permit granted to the petitioner, he is being permitted to ply his auto from Prem Nagar to Doiwala.

Learned Standing Counsel submits that if the petitioner applies for the permit from other centre to ply his auto in Dehradun city, his applicatinfor the grant of permit may be considered in accordance of rules and if permit is granted he will be permitted to ply the vehicle.

In view of the aforesaid submission made by the learned standing counsel, we dispose of the petition with the observation that the petitioner may apply for permit from Dehradun city and if permit is granted, he may ply his vehicle in Dehradun city.

No order as to costs.

(P.C. Verma, A.C.J.)
(Irshad Hussain, J.)

Dt. 17.07.2003

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